REMARKS

The Examiner is thanked for the thorough examination of the present application. The Office Action, however, continued to reject all claims. In response to this Action, claims 1-2, 9-13, 20-24 and 31-33 have been amended to address and overcome the rejections set forth under 35 U.S.C. 112 and 103(a). No new matter has been added to the application by these amendments. Claims 1-4, 9-15, 20-24, 26 and 31-33 remain pending in the present application, and Applicant respectfully requests reconsideration of these claims.

Claims 1-4, 9-15, 20-24, 26 and 31-33 are clearly in condition for allowance, as will be discussed below. Applicant presents the remarks below in an effort to further point out the distinctions to the Examiner at this time, in hopes of avoiding an unnecessary appeal process for this case. The accompanying remarks are necessary in light of the position taken in the FINAL Office Action. The remarks of the instant response further clarify and distinguish the various claimed embodiments over the Office Action's grounds of rejection and supporting reasoning presented in the final Office Action.

Claims 11, 22 and 33 stand rejected under 35 U.S.C. 112, first paragraph, as allegedly failing to comply with the written description requirement. Claims 11, 22 and 33 are amended to overcome this rejection.

Similarly, claims 1 and 9-11 stand rejected under 35 U.S.C. 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. With regard to this rejection, Applicant notes that there was nothing improper in the previous version of the claims. In this regard, consider a hypothetical claim that defines "A spark plug comprising ... a threaded portion for attachment to an engine of an automobile." In such a claim, it is clear that the claim is directed to the spark

plug and its relevant structure and NOT to the "engine" or the "automobile." However, including such terms in the claim is entirely appropriate, and permissible under 35 U.S.C. § 112. Likewise, the previous versions of claims 1 and 9-11 were in full compliance with all statutory requirements, including the requirements of 35 U.S.C. § 112. Nevertheless, claims 1 and 9-11 are amended, and as amended clearly satisfy all requirements of 35 U.S.C. § 112.

Turning now to the substantive rejections, the Office Action rejected claims 1-5, 9-16, 20-27, and 31-33 under 35 U.S.C. 102(e) as anticipated by or in the alternative, under 35 U.S.C. 103(a) as obvious over Lin (U.S. Patent 6,748,282). Applicant respectfully traverses these rejections for the following reasons.

Regarding independent claims 1, 12, and 23, Applicant traverses the rejection of these claims for at least the reason that Lin is completely silent as to the acquisition of available capacity of control jobs, process jobs or internal buffer sections for a fabrication tool upon detecting a loadport of the fabrication tool is available. Lin does not describe or disclose anything in relation to the acquisition of required capacity of control jobs, process jobs or internal buffer sections for a carrier. In addition, Lin is completely silent as to issue a load command to a transport system if the required capacity of control jobs, process jobs or internal buffer sections exceeds or equals the available capacity of control jobs, process jobs or internal buffer sections for the carrier. For at least this reason, the rejection is misplaced should be withdrawn.

To more fully explain, consider claim 1, which recites:

> 1. A system of carrier transport traffic management, comprising:
> a fabrication tool;
> a host computer, connected to the fabrication tool, ***configured to acquire an available capacity of control jobs, process jobs or internal buffer sections for***

the fabrication tool upon detecting a loadport of the fabrication tool is available; and

a material transport system, connected to the host computer, configured to receive the available capacity of the control jobs, process jobs or internal buffer sections corresponding to the fabrication tool, acquire a carrier identity corresponding to a carrier, acquire a required capacity of the control jobs, process jobs or internal buffer sections corresponding to the carrier, and issue a load command to the transport system to transport the carrier to the fabrication tool if the available capacity of the control jobs, process jobs or internal buffer sections exceeds or equals to the required capacity of the control jobs, process jobs or internal buffer sections.

(*Emphasis added.*) Claim 1 patently defines over Lin for at least the reasons that Lin fails to disclose the features emphasized above.

The Office Action cited steps 92/94 of the figures for this teaching. In fact, steps 92/94 merely state: "Check EQP Processing Status" and "Equipment Ready To Receive Foup." As can be readily verified there is no teaching of the claimed features of the host computer being configured "to acquire an available capacity of control jobs, process jobs or internal buffer sections for the fabrication tool upon detecting a loadport of the fabrication tool is available," nor can this claimed feature be read into such a sparce teaching. For at least this reason, the rejection of independent claim 1 should be withdrawn. Independent claims 12 and 23 recite similar features and define over the cited Lin reference for at least the same reasons.

For the reasons stated above, it is Applicant's belief that Lin does not teach or suggest all the limitations of instant claim 1, 12 or 23 of the present application. It is therefore Applicant's belief that instant claims 1, 12 and 23 are allowable over the cited reference. Insofar as all claims depend from instant claims 1, 12 and 23, it is Applicant's belief that these claims are also in condition for allowance.

Lin is not prior art to present application

In addition to the foregoing substantive distinctions, Applicant notes that Lin should not be applied as prior art to the present application. In this regard, Lin issued after the filing date of the present application, and is assigned to the assignee of the present application. Indeed, as of the time of invention of the embodiments disclosed and claimed in the present application, Lin was owned by Taiwan Semiconductor Manufacturing Co., Ltd., which was also the owner (either by agreement or operation of law) of the invention of the present application (as the inventors of the present application had an obligation to assign all rights to Taiwan, Semiconductor Manufacturing Co., Ltd., which rights have in fact been so assigned).

CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

No additional fee is believed to be due in connection with this submission (other than that provided in the accompanying credit card authorization). If, however, any additional fee is believed to be due, you are hereby authorized to charge any such fee to deposit account No. 20-0778.

Respectfully submitted,

By: _____
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